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PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Lisa T. Simpson, a member in good standing of the bar of this Court, hereby move for an Order admitting Robert Ricketson, Esq. of Orrick, Herrington & Sutcliffe LLP, *pro hac vice* to the United States District Court for the Southern

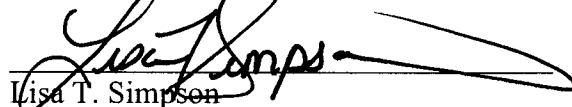
District of New York, so as to allow him to appear as counsel for the Defendant VideoEgg, Inc. in the above-captioned action.

Robert Ricketson is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceedings against Robert Ricketson in any State or Federal court.

Dated: New York, New York  
July 24, 2008

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Lisa T. Simpson", is written over a horizontal line.

Lisa T. Simpson  
Orrick, Herrington & Sutcliffe LLP  
666 Fifth Avenue  
New York, NY 10103-0001  
Tel: (212) 506-5000  
Fax: (212) 506-5151  
Attorney for Defendant VideoEgg, Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

Plaintiffs,

vs.

VIDEOEGG INC., d/b/a VIDEOEGG.COM, a Delaware Corporation; HI5 NETWORKS, INC., d/b/a HI5.COM, a California Corporation; and DOES 1-10, inclusive,

Defendants.

No. 08-cv-05831 (HB) DCF)

ECF Case

**AFFIDAVIT OF LISA T. SIMPSON  
IN SUPPORT OF MOTION TO  
ADMIT COUNSEL PRO HAC VICE**

STATE OF NEW YORK     )  
                                      )  
COUNTY OF NEW YORK    )

ss:

LISA T. SIMPSON, being duly sworn, deposes and says:

1. I am a partner at Orrick, Herrington & Sutcliffe LLP, counsel for Defendant VideoEgg, Inc. in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant VideoEgg, Inc.'s motion to admit Robert Ricketson as counsel pro hac vice to represent Defendant VideoEgg, Inc. in this matter.

2. I am a member in good standing of the bar of the State of New York. I was admitted to the First Department in March of 1995. I am also admitted to the bar of the United States District Court of the Southern District of New York, and am in good standing with this Court.

3. Mr. Robert Ricketson is an associate of the firm Orrick, Herrington & Sutcliffe LLP in Menlo Park, California. He has been admitted to practice before the Supreme Court of California. A Certificate of Good Standing, issued by the State Bar of California on July 18, 2008, is annexed hereto as **Exhibit A**.

4. Mr. Robert Ricketson is a skilled attorney. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.

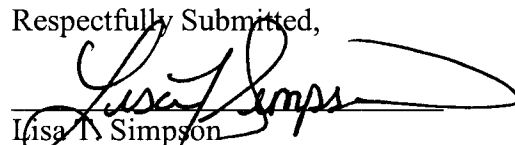
5. Accordingly, I am pleased to move the admission of Robert Ricketson, pro hac vice.

6. I respectfully submit a proposed order granting the admission of Robert Ricketson, pro hac vice, as **Exhibit B** hereto.

WHEREFORE it is respectfully requested that the motion to admit Robert Ricketson, pro  
hac vice, to represent Defendant VideoEgg, Inc. in the above-captioned matter, be granted.

Dated: July 24, 2008  
New York, New York

Respectfully Submitted,

  
Lisa T. Simpson  
Orrick, Herrington & Sutcliffe LLP  
666 Fifth Avenue  
New York, NY 10103  
Tel: (212) 506-5000  
Fax: (212) 506-5151  
Attorney for Defendant VideoEgg, Inc.

Sworn to before me this  
24 day of July 2008

  
Notary Public

**ANGELA M. FORRES**  
Notary Public, State of New York  
No. 610683706  
Qualified in Queens County  
Commission Expires Oct. 7, 2010



# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

July 18, 2008

## TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ROBERT WILLIAM RICKETSON, #148481 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 1990; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert  
Custodian of Membership Records

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPITOL RECORDS, LLC, a Delaware limited liability company; CAROLINE RECORDS, INC., a New York Corporation; VIRGIN RECORDS AMERICA, INC., a California Corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut Corporation; EMI APRIL MUSIC, INC., a Connecticut Corporation; EMI FULL KEEL MUSIC, INC., a duly licensed Corporation; EMI VIRGIN MUSIC, INC., a New York Corporation; EMI ROBBINS CATALOG, INC., a New York Corporation; EMI WATERFORD MUSIC, INC., a California Corporation; EMI GROVE PARK MUSIC, INC., a California Corporation; COLGEMS-EMI MUSIC, INC., a Delaware Corporation; and EMI VIRGIN SONGS, INC., a New York Corporation,

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Defendants.

No. 08-cv-05831 (HB) (DCF)

ECF Case

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of Lisa T. Simpson, attorney for Defendant VideoEgg, Inc., and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Robert Ricketson, Esq.  
Orrick, Herrington & Sutcliffe LLP  
1000 Marsh Road  
Menlo Park, CA 94025  
Tel: 650-614-7400  
Fax: 650-614-7401  
rricketson@orrick.com

is admitted to practice pro hac vice as counsel for Defendant VideoEgg, Inc. in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: July \_\_, 2008  
New York, New York

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Hon. Harold Baer, Jr.  
United States District Judge



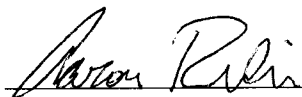
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of Defendant VideoEgg, Inc.'s Motion to Admit Counsel *Pro Hac Vice* for I. Neel Chatterjee, a true and correct copy of Defendant VideoEgg, Inc.'s Affidavit of Lisa T. Simpson In Support of Motion to Admit Counsel *Pro Hac Vice* for I. Neel Chatterjee (annexed with the following exhibits: A) A Certificate of Good Standing, issued by the State Bar of California on behalf of I. Neel Chatterjee; and B) a proposed Order granting the admission of I. Neel Chatterjee), as well as a true and correct copy of Defendant VideoEgg, Inc.'s Motion to Admit Counsel *Pro Hac Vice* for Robert Ricketson, and a true and correct copy of Defendant VideoEgg, Inc.'s Affidavit of Lisa T. Simpson In Support of Motion to Admit Counsel *Pro Hac Vice* for Robert Ricketson (annexed with the following exhibits: A) A Certificate of Good Standing, issued by the State Bar of California on behalf of Robert Ricketson; and B) a proposed Order granting the admission of Robert Ricketson) were caused to be served *via* Federal Express, this 25th day of July upon counsel named below:

Christine Lepera  
Mitchell Silberberg & Knupp LLP  
12 East 49th St.  
New York, NY 10017  
Telephone: (212) 509-3900  
Facsimile: (212) 509-7239

Russell J. Frackman  
Marc E. Mayer  
Mitchell Silberberg & Knupp LLP  
11377 West Olympic Boulevard  
Los Angeles, California 90064-1683  
Telephone: (310) 312-2000  
Facsimile: (310) 312-3100

Attorneys for Plaintiffs

A handwritten signature in black ink, appearing to read "Aaron Rubin", written over a horizontal line.

Aaron G.R. Rubin  
Orrick, Herrington & Sutcliffe LLP  
666 Fifth Avenue  
New York, New York 10103  
(212) 506-5000